

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:10-CV-522-BR

LORI FREEMAN,)	
Plaintiff,)	
)	
v.)	ORDER ON BILL OF COSTS
)	
DAL-TILE CORPORATION,)	
<i>doing business as DAL-TILE CORPORATION,</i>)	
<i>doing business as DAL-TILE DISTRIBUTION,</i>)	
<i>INC., doing business as DAL-TILE SERVICES,</i>)	
<i>INC.,</i>)	
Defendant.)	

On March 14, 2013, the court granted defendant's motion for summary judgment [D.E. 80], and judgment was entered in favor of defendant [D.E. 81]. On March 27, 2013, defendant timely filed a motion for bill of costs [D.E. 82]. Plaintiff did not respond, and the matter is ripe for determination.

Defendant seeks \$4,658.56 in costs under Rule 54(d)(1) of the Federal Rules of Civil Procedure and Local Civil Rule 54.1 as the prevailing party in this action. See Fed. R. Civ. P. 54(d)(1) ("Unless a federal statute, these rules, or a court order provides otherwise, costs-other than attorneys' fees-should be allowed to the prevailing party." Federal courts may assess only those costs specified in 28 U.S.C. § 1920. See *Arlington Cent. Sch. Dist. Bd. of Educ. v. Murphy*, 548 U.S. 291, 301 (2006); *Crawford Fitting Co. v. J.T. Gibbons, Inc.*, 482 U.S. 437, 441-42 (1987).

Defendant's application for costs relates solely to fees incurred for deposition transcripts. "Fees for printed or electronically recorded transcripts necessarily obtained for use in the case" may be taxed as costs. 28 U.S.C. § 1920(2). Plaintiff did not object to defendant's request. Accordingly, as the prevailing party and pursuant to 28 U.S.C. § 1920, defendant is awarded \$4,658.56 for fees

for printed or electronically recorded transcripts. Total costs in the amount of \$4,658.56 are taxed against plaintiff and shall be included in the judgment.

SO ORDERED. This 2nd day of March 2014.

Julie A. Richards
Julie A. Richards
Clerk of Court